

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

STATE STREET BANK AND
TRUST COMPANY,

Plaintiff,

RON V. ECKLAND,
ECKLAND AND ASSOCIATES, P.C.,
PATRICK M. THOMPSON and
KELLY KRUSE,

Defendants.

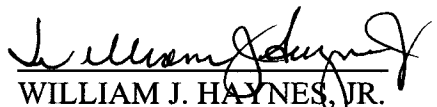
NO. 3:01-1251
JUDGE HAYNES

ORDER

In accordance with the Memorandum filed herewith, the Defendants' motion for partial summary judgement (Docket Entry No. 69) is **GRANTED**. The Court **AWARDS** declaratory relief that the Plaintiff's deed of trust on the property at 132 Ensworth Avenue, Nashville, Tennessee has priority over the deed of trust held by the Defendant Kelly Kruse. The Plaintiff is entitled to initiate any foreclosure proceeding on that property.

It is so **ORDERED**.

ENTERED this the 13th day of July, 2005.


WILLIAM J. HAYNES, JR.
United States District Judge